THE DECLARATION OF THE REASONS and MOTIVES For the PRESENT Appearing in Arms OF THEIR MAJESTIES In the PROVINCE of MARYLAND

BIBLIOTHECA ANNAPOLIS

Licens'd, *November* 28*th* 1689. J. F.

ALthough the Nature and State of Affairs relating to the Government of this Province, is so well and notoriously known to all Persons any way concerned in the same, as to the People and Inhabitants here, who are more immediately Interested, as might excuse any *Declaration* or *Apology* for this present inevitable *Appearance*: Yet forasmuch as (by the *Plots*, *Contrivances*, *Insinuations*, *Remonstrances*, and *Subscriptions*, carried on, suggested, extorted, and obtained by the Lord *Baltemore*, his Deputies,

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ties, Repreſentatives, and Officers here) the *Injuſtice* and *Tyranny* under which we *groan*, is palliated, and moſt, if not all the Particulars of our *Grievances* ſhrouded from the Eye of Obſervation, and the Hand of Redreſs. We thought fit for general Satisfaction, and particularly to undeceive thoſe that may have a ſiniſter Account of our *Proceedings*, to Publiſh this *Declaration*, of the *Reaſon* and *Motives* inducing us thereunto.

His Lordſhip's Right and Title to the Government, is by Virtue of a Charter to his Father *Cecilius*, from King *Charles* the Firſt, of Bleſſed Memory. How his preſent Lordſhip has managed the Powers and Authorities given and granted in the ſame, We could Mourn and Lament only in ſilence, would our Duty to God, our Allegeance to his Vicegerent, and the Care and Welfare of our Selves, and Poſterity, permit us.

In the Firſt Place, In the ſaid Charter, is a Reſervation of the Faith and Allegeance due to the Crown of *England* (the Province and Inhabitants being immediately ſubject thereunto) but how little that is manifeſted, is too obvious to all unbiaſſed Perſons that ever had any thing to do here; The very name and owning of that Soveraign Power is ſometimes Crime enough to incur the Frowns of our Superiors, and to render our Perſons obnoxious and ſuſpected to be Ill Affected to the Government.

The Ill Uſage and Affronts to the King's Officers belonging to the Cuſtoms here, were a ſufficient Argument of this; We need but inſtance the Buſineſs of Mr. *Badcock* and Mr. *Rousby*, of whom the former was forcibly detained by his Lordſhip, from going home to make his juſt Complaints in *England*, upon which he was ſoon taken Sick, and 'twas more than probably conjectured that the Conceit of his Confinement was the chief Cauſe of his Death, which ſoon after happened. The other was Barbarouſly Murthered upon the Execution of his Office, by one that was an *Iriſh Papiſt*, and our Chief Governor.

Allegeance here, by theſe Perſons under whom We Suffer, is little talk'd of, other then what they would have done and ſworn to his Lordſhip, the Lord Proprietary; for it was very lately owned by the Preſident himſelf, openly enough in the *Upper Houſe of Aſſembly, That Fidelity to his Lordſhip was Allegeance, and that the denial of the one, was the ſame thing with refuſal or denial of the other.* In that very *Oath of Fidelity* that was then impoſed under the Penalty and Threats of Baniſhment, there is not ſo much as the leaſt word or intimation of any *Duty, Faith*, or *Allegeance* to be reſerved to Our Soveraign Lord the King of *England*.

How

How the *Jus Regale* is improved here, and made the Prerogative of his Lordſhip, is too ſenſibly felt by us all, in that abſolute Authority exerciſed over us, and by the greateſt part of the Inhabitants, in the Seizure of their perſons, Forfeiture and Loſs of their Goods, Chattels, Freeholds and Inheritances.

In the next place, Churches and Chappels (which by the ſaid Charter ſhould be Built and Conſecrated, according to the Eccleſiaſtical Laws of the Kingdom of *England*) to our great Regret and Diſcouragement of our *Religion*, are erected and converted to the uſe of *Popiſh Idolatry* and *Superſtition*, Jeſuits and Seminary Prieſts, are the only Incumbents (for which there is a Supply provided, by ſending our Popiſh Youth to be Educated at St. *Omers*) as alſo the chief Adviſers and Councellors in Affairs of Government, and the Richeſt and moſt Fertile Land ſet apart for their Uſe and Maintenance; while other Lands that are piouſly intended, and given for the Maintenance of the Proteſtant Miniſtry, become Eſcheat, and are taken as Forfeit, the Miniſters themſelves diſcouraged, and no care taken for their Subſiſtance.

The Power to Enact Laws, is another branch of his Lordſhip's Authority; but how well that has been Executed and Circumſtanced, is too notorious. His preſent Lordſhip upon the Death of his Father, in order thereunto, ſent out Writs for Four (as was ever the uſuage) for each County to ſerve as Repreſentatives of the People; but when Elected, there were Two only of each Reſpective Four, pick'd out and ſummoned to that Convention. Whereby many Laws were made, and the greateſt Levy yet known, laid upon the Inhabitants.

The next Seſſion, the Houſe was filled up with the remaining Two that was left out of the former, in which there were many and the beſt of our Laws Enacted, to the great Benefit and Satisfaction of the People. But his Lordſhip ſoon after Diſſolved and Declared the beſt of thoſe Laws, ſuch as he thought fit, null and void by *Proclamation*; notwithſtanding they were Aſſented to in his Lordſhip's Name by the Governor, in his abſence, and he himſelf ſometime Perſonally Acted and Governed by the ſame; ſo that the *Queſtion* in our *Courts of Judicature*, in any point that relates to many of our Laws, is not ſo much the relation it has to the ſaid Laws, but whether the Laws themſelves be agreeable to the Approbation and Pleaſure of his Lordſhip? Whereby our Liberty and Property is become *uncertain*, and under the *Arbitrary Diſpoſition* of the *Judges* and *Commiſſioners* of our Courts of Juſtice.

The ſaid Aſſembly being ſometime after Diſſolved by *Proclamation*, another was Elected and met, conſiſting only of Two Members for each County, directly oppoſite to an Act of Aſſembly for Four; in which ſeveral Laws, with his Lordſhip's Perſonal Aſſent, were Enacted: Among the which, one for the *Encouragement of Trade*, and

Erecting

Erecting of Towns. But the Execution of that Act was ſoon after by *Proclamation* from his Lordſhip out of *England*, ſuſpended the laſt Year, and all Officers Military and Civil, ſeverely prohibited, executing or inflicting the Penalties of the ſame. Notwithſtanding which ſuſpenſion, being in effect a diſſolution and abrogating the whole Act, the Income of Three Pence to the Government by the ſaid Act, payable for every Hogſhead of Tobacco Exported, is carefully Exacted and Collected.

How Fatal, and of what *Pernicious Conſequence*, that Unlimited and Arbitrary pretended *Authority* may be to the Inhabitants, is too apparent, but by conſidering, That by the ſame Reaſon, all the reſt of our Laws, whereby our Liberty and Property ſubſiſts, are ſubject to the ſame Arbitrary Diſpoſition, and if timely Remedy be not had, muſt ſtand or fall according to his Lordſhip's Good Will and Pleaſure.

Nor is this *Nullifying* and *Suſpending Power* the only *Grievance* that doth perplex and burthen us, in relation to Laws; but theſe Laws that are of a certain and unqueſtioned acceptation, are executed and countenanced, as they are more or leſs agreeable to the good liking of our Governours in particular; One very good Law provides, That Orphan Children ſhould be diſpoſed of to Perſons of the ſame Religion with that of their deceaſed Parents. In *direct oppoſition* to which, ſeveral Children of *Proteſtants* have been committed to the Tutelage of *Papiſts*, and brought up in the *Romiſh Superſtition*. We could inſtance in a Young Woman, that has been lately forced, by Order of Council, from her Husband, committed to the Cuſtody of a *Papiſt* and brought up in his *Religion*. 'Tis endleſs to enumerate the particulars of this nature, while on the contrary, thoſe Laws that enhance the Grandeur and Income of his ſaid Lordſhip are ſeverely Impoſed and Executed; eſpecially one that againſt all Senſe, Equity, Reaſon, and Law, Puniſhes all Speeches, Practices, and Attempts relating to his Lordſhip and Government, that ſhall be thought Mutinous and Seditious by the Judges of the Provincial Court, with either Whipping, Branding, Boreing through the Tongue, Fine, Impriſonment, Baniſhment, or Death; all, or either of the ſaid Puniſhments, at the Diſcretion of the ſaid Judges; who have given a very recent and remarkable Proof of their Authority in each particular Puniſhment aforeſaid, upon ſeveral of the good People of this Province, while the reſt are in the ſame danger to have their Words and Actions liable to the Conſtructions and Puniſhment of the ſaid Judges, and their Lives and Fortunes to the Mercy of their Arbitrary Fancies, Opinions, and Sentences.

To

To theſe Grievances are added,

Exceſſive Officers Fees, and that too under Execution, directly againſt the Law made and provided to redreſs the ſame; wherein there is no probability of a Legal Remedy (the Officers themſelves that are Parties, and culpable) being Judges.

The like Exceſſive Fees impoſed upon, and extorted from *Maſters* and *Owners* of *Veſſels*, Trading into this *Province*, without any Law to Juſtifie the ſame, and directly againſt the plain Words of the *Charter*, that ſay, there ſhall be no Impoſition or Aſſeſsment, without the Conſent of the *Freemen* in the *Aſſembly*: To the great *Obſtruction* of *Trade*, and Prejudice of the *Inhabitants*.

The like exceſſive Fees Impoſed upon, and extorted from the *Owners* of *Veſſels* that are Built here, or do really belong to the *Inhabitants*; contrary to an *Act of Aſſembly*, made and provided for the ſame: Wherein, *Moderate and Reaſonable Fees are aſſertained, for the Promoting and Encouragement of Shipping and Navigation amongſt our ſelves.*

The frequent Preſſing of *Men*, *Horſes*, *Boats*, *Proviſions*, and other *Neceſſaries*, in time of *Peace*; and often to gratifie private Deſigns, and Occaſions, to the great *Burthen* and *Regret* of the *Inhabitants*, contrary to *Law* and ſeveral *Acts* of *Aſſembly* in that Caſe made and provided.

The Seizing and Apprehending of *Proteſtants* in their Houſes, with Armed Force conſiſting of *Papiſts*, and that in time of *Peace*; their hurrying them away to *Priſons* without Warrant or Cauſe of Commitment, there kept and Confined with *Popiſh* Guards, a long time without Trial.

Not only private but publick Outrages, and Murthers committed and done by *Papiſts* upon *Proteſtants* without any Redreſs, but rather connived at, and Tollerated by the chief in Authority; and indeed it were in vain to deſire or expect any help or meaſures from them, being *Papiſts* and Guided by the Counſels and Inſtigations of the *Jeſuits*, either in theſe or any other Grievances or Oppreſſion. And yet theſe are the Men that are our Chief Judges, at the *Common Law*, in *Chancery*, of the Probat of Wills, and the Affairs of Adminiſtration, in the Upper Houſe of Aſſembly, and the Chief Military Officers and Commanders of our Forces; being ſtill the ſame Individual Perſons, in all theſe particular Qualifications and Places.

Theſe and many more, even Infinite Preſſures and Calamities, we

have hitherto, with Patience lain under and ſubmitted too; hoping that the ſame Hand of Providence, that hath ſuſtained us under them, would at length in due time releaſe us; and now at length, For as much as it has pleaſed Almighty God, by means of the great Prudence and Conduct of the beſt of Princes; Our moſt gracious King *William*, to put a Check to the great Innundation of Slavery and Popery, that had like to overwhelm *Their Majeſties* Proteſtant Subjects in all their *Territories* and *Dominions* (of which none have ſuffered more, or are in greater Danger than our ſelves) we hope and expected in our particular Stations and Qualifications; a proportionable Share of ſo great a Bleſſing. But to our great Grief and Conſternation, upon the firſt News of the great Overture and happy Change in *England*; we found our ſelves ſurrounded with Strong and Violent Endeavours from our *Governours* here, being the Lord *Baltemore*'s Deputies and Repreſentatives, to defeat us of the ſame.

We ſtill find all the means uſed by theſe very Perſons and their Agents; *Jeſuits*, *Prieſts*, and lay *Papiſts*, that Art or Malice can ſuggeſt, to divert the Obedience and Loyalty of the Inhabitants from Their Moſt Sacred *Majeſties*, to that heighth of Impudence, that ſolemn Maſſes and Prayers are uſed (*as we have very good Information*) in their *Chappels* and *Oratories*, for the proſperous Succeſs of the *Popiſh* Forces in *Ireland*, and the *French* Deſigns againſt *England*, whereby they would involve us in the ſame Crime of Diſloyalty with themſelves, and render us Obnoxious to the Inſupportable Diſpleaſure of Their Majeſties.

We every where hear, not only Publick Proteſtation againſt Their Majeſties Right and Poſſeſſion of the *Crown* of *England*; but their moſt Illuſtrious Perſons villified and aſpers'd with the worſt and moſt Traiterous Expreſſions of Obloquy and Detraction.

We are every day threatned with the Loſs of our Lives, Liberties, and Eſtates, of which we have great Reaſon to think our ſelves in Imminent Danger, by the Practices and Machinations that are on foot to betray us, to the *French*, *Northern*, and other *Indians*, of which, ſome have been dealt withal, and others Invited to Aſſiſt in our Deſtruction; *well remembring the Incurſion and Inrode of the ſaid Northern Indians*, in the Year 1681; who were conducted into the Heart of the *Province*, by *French Jeſuits*, and lay ſore upon us, *while the Repreſentatives of the Country, then in the Aſſembly*, were ſeverely preſs'd upon by our Superiors, to yield them an Unlimited and Tiranical Power in the Affairs of the Militia. As ſo great a Piece of Villany cannot be the Reſult, but of the worſt of Principles; ſo we ſhould with the greateſt Difficulties, believe it to be true, if Undeniable Evidence and Circumſtances did not convince us.

Together

Together with the Promiſes, we have; with all due Thinking and Deliberation, conſidered the Endeavours that are making to Diſunite us among our ſelves, to make and Inflame Differences in our Neighbour *Colony* of *Virginia*, from whoſe Friendſhip, Vicinity, great Loyalty and *Sameneſs* of *Religion*; we may expect Aſſiſtance in our greateſt Neceſſity.

We have conſidered, that all the other Branches of Their Majeſties *Dominions* in this Part of the World (*as well as we could be informed*) have done their Duty in Proclaiming and Aſſerting their undoubted Right in theſe, *and all other Their Majeſties Territories and Countries.*

But above all, with Due and Mature Deliberation, we have reflected upon that vaſt Gratitude and Duty incumbent likewiſe upon us, *To our Soveraign Lord and Lady, the King and Queen's moſt Excellent Majeſties*, in which, as it would not be ſafe for us; ſo it will not ſuffer us to be Silent, in ſo great and General a *Jubile*, withal conſidering and looking upon our ſelves, Diſcharged, Diſſolved, and Free from all manner of Duty, Obligation, or Fidelity, to the Deputies, Governours, or Chief Magiſtrates here, as ſuch: *They having Departed from their Allegiance* (upon which alone our ſaid Duty and Fidelity to them depends) and by their Complices and Agents aforeſaid, endeavoured the Deſtruction of our Religion, Lives, Liberties, and Properties, all which they are bound to Protect.

Theſe are the Reaſons, Motives and Conſiderations, *which we do Declare, have induced us to take up Arms, to Preſerve, Vindicate, and Aſſert, the Sovereign Dominion, and Right, of King* WILLIAM *and Queen* MARY, *to this Province*: To Defend the *Proteſtant Religion* among us, and to Protect and Shelter the *Inhabitants*, from all manner of *Violence*, *Oppreſſion*, and *Deſtruction*, that is Plotted and Deſigned againſt them; which we do Solemnly Declare and Proteſt, *we have no Deſigns* or *Intentions* whatſoever.

For the more Effectuate Accompliſhments of which, We will take due Care, that a Free and full Aſſembly be Called, and Convened with all Poſſible Expedition, by whom we may likewiſe have our Condition and Circumſtances, and our moſt Dutifull Addreſſes repreſented and tendered to *Their Majeſties*: From whoſe great Wiſdom, Juſtice, and eſpecial Care of the *Proteſtant Religion*; We may Reaſonably and Comfortably hope to be Delivered from our preſent Calamities, and for the Future be ſecured under a Juſt and Legal Adminiſtration, from being evermore ſubjected to the Yoke of Arbitrary Government, Tyrany and Popery.

In the Conduct of this, We will take Care, and do Promiſe, That no Perſon now in Arms with us, or that ſhall come to Aſſiſt us, ſhall commit any Outrage, or do any Violence to any Perſon whatſoever, that ſhall be found Peaceable and Quiet, and not oppoſe us in our ſaid Juſt and neceſſary Deſigns: And that there ſhall be Juſt and due Satisfaction made for Proviſion, and other Neceſſaries had and Received from the *Inhabitants*: And the Soldiers, punctually and duely Paid; in ſuch Ways and Methods as have been formerly accuſtomed, or by Law ought to be.

And we do Laſtly, Invite and Require all manner of Perſons whatſoever; Reſiding or Inhabiting in this *Province*, as they tender their *Allegiance*, the *Proteſtant Religion*; their Lives, Fortunes and Families, to Aid and Aſſiſt us in this our Undertaking. *Given under our Hands in* MaryLand, *the* 25th. *Day of* July, *in the Firſt Year of Their Majeſties Reign*, *Annoque Domini* 1689.

God Save King WILLIAM *and Queen* MARY.

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